

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
LIZARDI et al.)	Art Unit: 1637
)	
Application No. 10/700,018)	Examiner: Joyce Tung
)	
Filing Date: November 3, 2003)	Confirmation No. 4956
)	
For: MULTIPLE DISPLACEMENT)	
AMPLIFICATION)	
)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

BALLARD SPAHR
ANDREWS & INGERSOLL LLP
Customer Number 23859

Dear Sir:

Applicant hereby appeals under 37 C.F.R. §41.31 to the Board of Patent Appeals and Interferences from the decisions of the Examiner dated September 15, 2008 finally rejecting claims 34, 39-44, 46-50 and 52-55.

The item(s) checked below are appropriate:

1. ☒ An extension of time to respond to the final rejection:
 - (a) ☒ was obtained for two (2) month(s).
 - (b) ☒ is requested herewith under 37 C.F.R. § 1.136.
2. Payment in the amount of \$580.00 to cover the following fees:
☒ Appeal fee amount pursuant to 37 C.F.R. §41.20(b)(1) = \$270.00 (Small Entity).

- ☒ Extension of time fee amount pursuant to 37 C.F.R. §1.17(a)(3) = \$555.00 for three (3) month extension of time fee minus \$245.00, the two (2) month extension of time fee submitted on January 27, 2009 = \$310.00
- ☐ RCE fee amount pursuant to 35 U.S.C. §132 = \$ _____ (Small Entity).
3. ☐ Enclosed is a Pre-Appeal Brief Request for Review and ____ sheets of reasons.


A Credit Card payment submitted via EFS Web in the amount of \$580.00, representing \$270.00 for the Appeal fee pursuant to 37 C.F.R. §41.20(b)(1) and \$555.00 for three (3) month extension of time fee minus \$245.00, the two (2) month extension of time fee submitted on January 27, 2009 = \$310.00 for the Extension of Time fee for a small entity under 37 C.F.R. § 1.17(a)(3), and a Request for Extension of Time are hereby enclosed. This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

Respectfully submitted,



Scott D. Marty, Ph.D.
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CERTIFICATE OF ELECTRONIC TRANSMISSION UNDER 37 C.F.R. § 1.8			
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via electronic transmission via EFS-Web on the date indicated below.			
Name of Person Mailing (Print/Type)	Scott D. Marty, Ph.D.		
Signature		Date	3-15-09